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SUBJECT:

Memo from the DCI/ES re NSDD 159 25X1

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EXECUTIVE SECRETARIAT
ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI		X		
6	DDA				
7	DDO		X		
8	DDS&T				
9	Chm/NIC				
10	GC		X		
11	IG				
12	Compt		X		
13	D/Pers				
14	D/OLL		X		
15	D/PAO				
16	SA/IA				
17	AO/DCI				
18	C/IPD/OIS				
19	C/PPS/DO		X		
20					
21					
22					
	SUSPENSE	31 January 1985 Date			

Remarks

See attached. (Suspense date refers to designation of special compartment control officers.)

[redacted]
Executive Secretary

STAT

24 January 1985
Date

3637 (10-81)

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SUBJECT:

NSDD 159 25X1

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NSC/ICS-400030

THE WHITE HOUSE

WASHINGTON

TOP SECRET/VEIL

January 19, 1985

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
THE DIRECTOR OF CENTRAL INTELLIGENCE
CHAIRMAN, JOINT CHIEFS OF STAFF

SUBJECT: Covert Action Policy Approval and Coordination Procedures (TS)

The President has approved the attached National Security Decision Directive on Covert Action Policy Approval and Coordination Procedures. (TS)

Because security is indispensable to the successful conduct of covert action undertaken in support of US national security, the NSDD directs that exceptional care be taken to ensure that covert action policies and the review and approval process for them remain secure. To support this objective, the NSDD directs that a separate, specially compartmented control and access system for all covert action policy matters be established. All information concerning covert action policy (i.e., Presidential Findings, Memoranda of Notification, and related correspondence), as distinct from operational aspects, shall be protected by this compartment, known as "VEIL." (TS)

The Senior Director of Intelligence Programs, National Security Council Staff, is designated as administrator for this control system. Each NSPG member is requested to designate a senior member of his component as the sole focal point for all matters related to covert action for both the National Security Planning Group and Planning and Coordination Group. Procedures for the VEIL control system are attached and should be incorporated into existing security procedures as a means to more effectively protect covert action information. (TS)

Series B, cy # 9

TS-850083
Cy 9 of

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Your personal assistance in ensuring the strict limitation of knowledge of covert action information is vital to the success of our national security policies. (S)

FOR THE PRESIDENT:

for Robert C. McFarlane

Attachments (2)
1. National Security Decision Directive
2. Procedures for Safeguarding Covert Action Policy Information

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TAB I

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THE WHITE HOUSE

WASHINGTON

TOP SECRET/VEIL

January 18, 1985

SENSITIVE

National Security Decision
Directive Number 159

COVERT ACTION POLICY APPROVAL AND COORDINATION PROCEDURES (TS)

The US faces a variety of threats to its national security interests as well as opportunities to advance those interests. Among these threats are the overt and covert efforts of hostile powers to influence and control international organizations, governments, and certain non-governmental groups throughout the world. In particular the Soviet Bloc and terrorist organizations continue to intervene in the internal affairs of both democratic and non-democratic countries and to use any means considered effective to achieve their ends. These include covert political action and propaganda and paramilitary and intelligence support programs to assist their allies and damage their opponents, including actions to subvert democratic elections, organize and support coups d'etats, terrorism, insurgencies, and spread disinformation designed to discredit the US and its allies. (TS)

While the US will not make use of most of the techniques employed by our adversaries, we must be prepared to counter such efforts and to assist our allies and friends in resisting these threats. The US requires a range of national security tools to protect and advance its interests. When the President determines that it is appropriate, he must have at his disposal appropriate means to assist allies and friends and to influence the actions of foreign countries, including the means to affect behavior both when the US wishes to acknowledge its role, and to do this covertly when the revelation of US sponsorship, support, or assistance would adversely affect US interests. These tools include overt and covert diplomatic information channels, political action, and covert action including paramilitary and intelligence support programs. (TS)

To ensure that all means are considered and utilized effectively to serve policy purposes, there is a need to review fully and integrate covert with overt activities. Covert action must be consistent with and supportive of national policy and must be placed appropriately within a national security policy framework. Covert action must never be used as a substitute for policy. The National Security Council must coordinate all of the instruments of US national security, and the President must decide which purposes can best be accomplished by covert action. (TS)

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Moreover, while the Constitution and the National Security Act of 1947 sanction the use of covert action, subsequent authorizations impose special reporting requirements. Covert activities, therefore, require special review and control mechanisms. At the same time, exceptional care must also be taken to ensure that while there may be overt manifestations of covert action, the decision and review process, as well as the specific intelligence means and techniques that are used covertly always remain secure. (TS)

Purpose and Objectives

The purpose of this NSDD is to establish procedures for the planning, approval, and coordination of covert action (intelligence "special activities" under Executive Order 12333) and for the review and evaluation of these activities in order to ensure that they continuously derive from and support US national security objectives and are integrated fully into overall US policy. Knowledge of covert action policies, decisions, and programs shall be strictly limited to the absolute minimum number of senior officials and their immediate staff focal points. To the extent possible, knowledge of policies, deliberations, and programs; knowledge of operations; and knowledge of supporting information or activities will be strictly compartmented from each other. (TS)

In support of these objectives and this process, the following procedures and responsibilities are established:

Approval Procedures for Intelligence

1. Presidential Findings. The President shall approve all covert action Findings in writing. Under Section 662 of the Foreign Assistance Act of 1961, as amended, all covert actions undertaken by the Central Intelligence Agency must be authorized by a Presidential Finding that each such operation is important to US national security. E.O. 12333 and this Directive establish that covert actions (intelligence "special activities") undertaken by components other than CIA also require a Presidential Finding. Each covert action is also considered a significant anticipated intelligence activity under Section 501 of the National Security Act and is subject to certain Congressional reporting procedures. The Congressional reporting procedures for significant intelligence activities apply to all agencies of the intelligence community. Findings shall remain valid until formally cancelled. (TS)

2. In accordance with Executive Order 12333, the Central Intelligence Agency shall conduct covert actions unless the President specifically designates another agency of the government. When the provision of substantial support by one government component to another is essential to the conduct of a covert action, indication of the extent and nature of that support shall be included as part of the Finding or Memorandum

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of Notification. However, the provision of routine support in the form of personnel, funds, equipment, supplies, transportation, training, logistics, and facilities by Government components other than CIA to support a covert action shall not in itself be considered a separate covert action by the supplying agency. (TS)

3. Memorandum of Notification (MON). The MON is the means by which CIA or other designated components seek approval for a substantial change or modification in the means of implementation, resource level, other change in assets or level of activity, or when there has been a significant change in the operational conditions or risks associated with a covert action program. The President shall approve all such modifications to existing covert action Findings. All such changes must be within the scope of authorities granted by an existing Presidential Finding. MONs shall not be used to exceed the limits authorized in the Finding or to modify objectives, targets, or add foreign states, organizations, or individuals of countries other than those authorized in the Finding. The MON shall also be used to request cancellation or suspension of a Finding for which action has been completed, which has been bypassed by events, or which, for other reasons, should be cancelled. (TS)

National Security Planning Group (NSPG).

The National Security Planning Group, as a committee of the National Security Council, shall provide a recommendation to the President on each proposed covert action or proposed modification to an ongoing covert action. (TS)

1. For consideration of covert action, the NSPG shall consist of the following members:

The President
The Vice President
The Secretary of State
The Secretary of Defense
Counsellor to the President
The Director of Central Intelligence
Chief of Staff to the President
Deputy Chief of Staff to the President
Assistant to the President for
National Security Affairs
Chairman, Joint Chiefs of Staff

The Attorney General and the Director, Office of Management and Budget, and others as appropriate, shall attend NSPG meetings for covert action consideration. (C)

2. The NSPG is the component of the National Security Council authorized to establish, review, evaluate, provide guidance for and direction to the conduct of covert action and

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ensure coordination of covert action with other instruments of US national security policy. Proposed Findings and Memoranda of Notification shall be sent in writing to the President via the Assistant to the President for National Security Affairs together with the recommendation of the NSPG including dissents of any member on the recommendations. (TS)

3. The NSPG shall periodically review policy for the conduct of covert actions, evaluate covert action programs and operations for adequacy and efficacy and recommend the assignment of resources. The NSPG shall review the funding for covert actions to be included in the National Foreign Intelligence Program and the programs of other US Government components and report to the President on the adequacy of US covert action programs and capabilities. (TS)

4. The NSPG annually shall review all current covert action programs and seek the President's concurrence in the continuation of each program. (TS)

5. The Senior Director for Intelligence Programs, National Security Council Staff, shall act as recorder of written minutes at NSPG meetings, prepare papers for and maintain records of NSPG meetings and administer the special access security compartment protecting covert action policies. (C)

Planning and Coordination Group (PCG)

A senior level Planning and Coordination Group (PCG) is established to review covert action proposals and implementation for the purpose of ensuring their effectiveness and their integration with other aspects of US national security policy. The PCG replaces all ad hoc interagency groups for this purpose. The PCG shall consist of a representative of the Office of the Vice President, the Under Secretary of State for Political Affairs, the Under Secretary of Defense for Policy, the Deputy Director of CIA for Operations, the Assistant to the Chairman of the Joint Chiefs of Staff, and be chaired by the Deputy Assistant to the President for National Security Affairs. Representatives of other departments and agencies may be invited to attend on a case-by-case basis. In carrying out its responsibilities, the PCG shall:

1. Ensure that covert action programs are coordinated with related US Government national security actions so that they are mutually supportive. (TS)

2. Review each proposed covert action Finding or proposed modification to an ongoing covert action to ensure that such activities support US policies and make recommendations on each proposed covert action to the NSPG, including the dissent, if any, of PCG members. (TS)

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3. Provide continuing review and evaluation of ongoing covert actions to ensure they meet policy objectives and ensure preparation of an annual review for submission to the NSPG. (TS)

4. Review the nature of the threat or opportunity to be addressed by each proposed covert action, including US interests, objectives and plans (political, economic, military, etc.), resources available, legal considerations, Congressional and legislative requirements, public and media issues, and security requirements. (TS)

5. Identify situations and areas in which covert action should be used to support policies to meet threats to US national security or which present opportunities to advance US interests. (TS)

6. Develop and coordinate Congressional briefing, legislative and, if appropriate, public affairs strategies for covert action programs. (TS)

7. Recommend and coordinate operational security and cover strategies which will enhance the likelihood of successful execution of covert actions. (TS)

Coordination Procedures

1. Unless otherwise authorized, all proposed Findings and Memoranda of Notification shall be prepared by the component selected by the President to perform the covert action for staffing and deliberation by the PCG and the NSPG. Other components of the US Government shall participate in the drafting of proposed Findings and Memoranda of Notification when they provide substantial support essential to the conduct of covert action by another component. (TS)

2. Draft Findings and MONs shall be submitted to the Assistant to the President for National Security Affairs for further circulation to PCG and NSPG principals via the designated staff focal points. (TS)

3. At the direction of the Assistant to the President for National Security Affairs, the Senior Director of Intelligence Programs, National Security Council Staff, shall distribute, via the designated staff focal points, draft copies of proposed Findings and MONs. (C)

4. The PCG shall meet to review each proposed Finding and MON and shall provide its comments and recommendations and the comments and recommendations of individual members, including dissents when appropriate, through the Assistant to the President for National Security Affairs to the DCI for preparation of Findings and MONs to be forwarded to the NSPG for final consideration. When substantive changes to a proposed Finding

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or MON are recommended by the PCG, the revised draft Finding or MON shall be circulated to the PCG members prior to NSPG consideration. (TS)

5. The NSPG shall review all Findings and MONs and shall transmit them together with any additional comments, recommendations or dissents, via the Assistant to the President for National Security Affairs to the President for approval. Concurrence on MONs may be via a signed memorandum in lieu of a formal NSPG meeting unless any NSPG member requests a formal meeting. (TS)

6. Normally a minimum of four working days shall be available to PCG and NSPG members for processing Findings and MONs at each level prior to meetings or votes. (S)

7. The Senior Director of Intelligence Programs, National Security Council, shall make available a copy of the final proposed Finding to the Attorney General, and the Director, Office of Management and Budget for legal and budgetary review at least three full days before NSPG deliberation. (TS)

8. The Director of Central Intelligence shall be prepared to brief the final proposed Finding to the Attorney General; the Director, Office of Management and Budget; or other NSPG members at least three full days prior to the NSPG meeting. (TS)

9. NSPG members shall be notified in writing by the Assistant to the President for National Security Affairs of the President's decision on all Findings and MONs. (TS)

10. The original approved Finding and MON shall be retained for record purposes by the Senior Director of Intelligence Programs, NSC Staff. A record copy shall be provided to the Director of Central Intelligence or to other components undertaking a covert action. No other copies of approved Findings or MONs are authorized. (TS)

Congressional Notification Procedures

1. Section 501 of the National Security Act requires the DCI and the heads of all other components of the US Government involved in intelligence activities to keep the Intelligence Committees of the Congress fully and currently informed of all significant anticipated intelligence activities including covert action. The Director of Central Intelligence has primary responsibility for reporting covert actions to the Congress. Representatives of other components shall report jointly with the Director of Central Intelligence to the Congressional Intelligence Committees in those instances when that component is conducting a covert action or when the NSPG deems it appropriate. (TS)

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2. Advisory. In accordance with procedures agreed to with the Congress, the DCI shall provide the Congress with a briefing on each Finding and MON after they have been approved by the President. This briefing shall consist of an "advisory" which shall be provided to the PCG and NSPG with each proposed Finding and MON. This advisory, undated and unsigned, shall describe the Finding or MON, the scope of each, and those additional elements required by the agreed Congressional reporting procedures. Since the Congressional reporting procedures permit oral notification, no paper other than the advisory shall be provided to the Congress. It is intended that this advisory replace the scope paper and MON as the instrument of Congressional notification. (TS)

Security Procedures

1. Security is indispensable to the successful conduct of covert action. Therefore, security requirements and administration are major elements in the development of covert action policy. The Assistant to the President for National Security Affairs shall establish a separate, specially compartmented control and access system at the Top Secret classification level for all policy matters concerning covert action. Each NSPG member shall ensure that access to information on US covert action policies shall be restricted to the absolute minimum number of persons possible. (TS)

2. Each NSPG member shall designate one senior member of his component as the sole focal point for all matters related to covert action for both the PCG and the NSPG. Each focal point shall strictly adhere to the special access security compartment procedures regarding covert action policies to be promulgated under separate cover. In accordance with these procedures, each focal point shall develop implementing procedures for ensuring strict limitation of knowledge and for separating knowledge of covert action policy from operational or support information and knowledge within other elements of his component. (TS)

3. NSPG members shall ensure that the absolute minimum number of documents and files necessary for handling each covert action are created or maintained. (S)

Ronald Reagan

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TAB II

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TOP SECRET/VEIL

PROCEDURES FOR SAFEGUARDING COVERT ACTION POLICY INFORMATION

All information concerning covert action policies and review and approval procedures (i.e., Presidential Findings and Memoranda of Notifications and related correspondence) shall be protected under a separate, specially compartmented control and access system identified by the unclassified codeword "VEIL."

VEIL information is restricted to members of the National Security Planning Group (NSPG) and Planning and Coordination Group (PCG); designated focal points; and an absolute minimum number of supporting personnel whose major responsibilities involve the review, evaluation, development, and/or implementation of covert action policies and operations. Access to VEIL information shall be on a "MUST NEED-TO-KNOW" basis and does not automatically entitle an individual, who has knowledge of a specific covert action or a particular aspect of a covert action, to have access to the entire body of VEIL information.

Designated focal points are responsible for ensuring strict limitation of knowledge and, to the extent possible, for separating knowledge of covert action policies from operational or support information and knowledge within his component. Additionally, he shall be responsible, within his component, for receiving and accounting for all VEIL material; conducting indoctrination briefings and maintaining a record of all personnel with authorized access; secure handling; storage; and transmission of VEIL information from his component.

All VEIL information will be copy numbered. Reproduction of Presidential Findings and Memoranda of Notification is not authorized.

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